

## **BLUE RIBBON TASK FORCE ON ETHICS ORDINANCE MEETING NOTES**

Thursday, September 9, 2004

CH – Room 204 Building

**Attending:** Councilmember Ken Yeager (Chair), Councilmember Cindy Chavez, and Councilmember Chuck Reed

**Absent:** Vice Mayor Dando (Excused)

**Staff:** Rick Doyle (City Attorney), Lee Price (City Clerk), Norm Sato (City Attorney's Office), Peter Jensen (City Manager's Office).

### **Brief Presentation from and Task Force Discussion with Former San José Mayor Tom McEnery**

Former San José Mayor Tom McEnery spoke frankly with the Task Force and presented his personal views about current City events and the work of the Task Force. He offered suggestions, which included the following:

- Suspend the Blue Ribbon Task Force on Ethics Work Plan and deal with current events (including allegations of misconduct by members of the Council and former employees).
- Deal specifically with the revolving door policy and ask, "Why did Council members meet with lobbyists known to be former City employees?"
- Hold a public hearing on the allegations and consider censorship.
- Abolish office holder accounts and "friends committees".
- Continue to limit campaign contributions.
- Don't accept any gifts.
- City Hall is in crisis and the ability to lead is in question; delve deeply into the current issues to reverse the course.

In addition, the former mayor criticized changes made relevant to the Elections Commission. He argued that the name change de-emphasized the purpose of the commission and, further, asserted that the commission should be adequately funded and not subject to a two-year limit.

An open discussion with Task Force members followed.

- City Attorney was asked to provide further information about the legality of making investigations that pertain to members of the Council and/or the City open to the public.

### **Amendment to Task Force Work Plan**

- At the request of Task Force Member Dando, the Task Force agreed to add a review of the Independent Judgment Policy (i.e., “Arm’s Length” Policy) and Interaction Policy to the Work Plan. Staff directed to find a date (later set for November 15<sup>th</sup>).

### **Task Force Discussion of the City’s Gift Ordinance Exemptions**

The Task Force considered the revised draft of the Gift Ordinance. Questions and comments followed.

- The City Attorney agreed to return with an expanded definition of “sponsor” as it relates to admission to events.
- The Task Force requested that the ordinance be forwarded on to the full Council.
- The City Attorney agreed to develop a chart depicting the differences between City and State provisions in relation to the Gift Ordinance.
- Staff agreed to provide the Task Force with a timeline for offering training workshops on ethics, lobbying and gifts.

Public Comments: Bobbie Fischler, President of the League of Women Voters, asked the Task Force defer for two weeks sending the revised Gift Ordinance to the Council for approval to allow further discussion from the public.

- The Task Force agreed to bring the Gift Ordinance back for more discussion at its September 23, 2004 Task Force meeting; and further, requested that the City Clerk circulate the draft to the full Council and interested parties.

### **Task Force Discussion of the City’s Revolving Door Policy**

Chief Deputy City Attorney Sato generally summarized the current revolving door policy. Questions and comments followed.

- City Attorney was directed to provide the Task Force with suggestions on tightening up the language of the Revolving Door Policy, including more clarification about: 1) who can initiate an inquiry; 2) what “work on any matter” means; and 3) a discussion about whether or not the Council should consider expanding the policy to cover more than “designated employees”.

At 12:10 p.m. the meeting was adjourned. The next meeting will be Thursday, September 23<sup>rd</sup> at 3:00 p.m.